

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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DESHAWN GADDY,

Plaintiff,

- against -

ORDER

17 Civ. 8960 (NRB)

THE CITY OF NEW YORK, DOC COMMISSIONER JOSEPH PONTE, DOC CHIEF OF DEPARTMENT MARTIN MURPHY, DOC DEPUTY COMMISSIONER INVESTIGATION DIVISION MICHAEL BLAKE, WARDEN KENNETH STUKES, CAPT. "JOHN" GLOVER, C.O. "JOHN" TORRES (shield # 14192), and C.O. "JOHN" EDWARDS (shield # 1058),

Defendants.

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**NAOMI REICE BUCHWALD**  
**UNITED STATES DISTRICT JUDGE**

**WHEREAS** this Court's Order of December 5, 2019 granting a third extension of discovery in this matter was marked as a "final extension," see ECF No. 47; and

**WHEREAS** on February 6, 2020, plaintiff's counsel requested an additional stay of discovery in this matter, see ECF No. 48; and

**WHEREAS** on February 6, 2020, the Court extended the "final extension" for thirty (30) days, noting that if the plaintiff was not produced for his deposition within the timeframe contemplated by the discovery schedule, the case would be dismissed, see ECF No. 49; and

**WHEREAS** on March 26, 2020, the Court was informed that plaintiff had failed to appear for his scheduled deposition, see ECF No. 52; it is hereby

**ORDERED** that this case is dismissed with prejudice.

The Clerk of Court is respectfully directed to close this case.

Dated: New York, New York  
March 27, 2020

  
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NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE